

## Why Serbia should be granted candidate status for the European Union

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Sebastian Schäffer

## Why Serbia should be granted candidate status for the European Union

*At the EU summit in Brussels on 8-9 December 2011, the heads of state and government will decide about the way forward for the European integration of the Western Balkan states. While it is expected that the membership contract with Croatia will be signed and negotiations with Montenegro could be opened, the candidate status for Serbia is uncertain. Despite the recent border disputes with Kosovo, Brussels should grant Belgrade this status and even consider opening negotiations. This is not only important for the further democratic development in the region but also a sign that the EU is able to continue its role as a stabiliser for the region in times when internal problems set the agenda in Brussels.*

At a conference in Berlin in July 2011, the Serbian president Boris Tadic said that Serbia has been at the margins of European integration for long enough and that it is now time to move into the centre. While this statement is certainly true, it cannot be achieved without conditions. The government in Belgrade has done much in the recent months and years to prove its seriousness about moving towards membership in the European Union. The arrest of the alleged war criminals Karadzic, Mladic and Hadzic show the commitment that the name of the winning coalition, "For a European Serbia" from the last parliamentary election promised. The coalition managed to fulfil the conditions set by the EU and most prominently the Dutch government for an implementation of the Stabilisation and Association Agreement (SAA). So far the majority of member states have ratified the SAA and it is likely to enter into force by 2012. The interim agreement on trade and trade-related issues as part of the SAA already entered into force in February 2010. Two months before, in December 2009, the visa regime between Serbia and the EU was abolished. In the same month, Belgrade submitted an official application for membership to the European Union.

### Crisis in Northern Kosovo

Despite advice from the European Commission to give Serbia candidate status, the heads of state and government are likely to ignore this recommendation. The reason for this is the ongoing dispute at the Serbian-Kosovar border that recently caused several injuries, among them soldiers from the Kosovo

Force (KFOR) that have been stationed in Kosovo since the end of the war in 1999. Following the unilateral declaration of independence from Prishtina in February 2008, the situation has remained relatively calm, with NATO even considering reducing the current 6200 soldiers to 2500. In July 2011, the dispute about border control violently erupted when Kosovar police forces attempted to gain control over the border crossing points in Northern Kosovo where the majority is comprised of ethnic Serbs. The border crossings were held by Serbian members of the Kosovo police together with members of the EU's rule of law mission EULEX. The attempt was,

according to Kosovar Prime Minister Hashim Thaci, to establish law and order. Since the declaration of independence, Belgrade banned all imports of goods from Kosovo. By taking control over the border cross-

ing points in Northern Kosovo, Prishtina aimed to enforce a similar ban on Serbian goods. During these clashes, KFOR troops took control over the two crossing points in Brnjak and Jarinje in North Kosovo. Kosovar Serbian protesters erected several road blocks that have been dismantled by the KFOR troops. In the following weeks, new road blocks were erected causing several incidents between NATO soldiers and Kosovar Serbian protesters. Until now the situation remains unresolved, despite the efforts of representatives of the Serbian government, the Kosovar government and the international community. A compromise suggested that the border crossings should be controlled by one official from both ethnicities and an international representative from EULEX. The Kosovo Serbs initially rejected this Belgrade-backed plan, however, recently the

dismantling of the road blocks seems to have started. Belgrade appears to have only limited influence on the Kosovo Serbs, a conclusion illustrated by the fact a majority of the 50,000 Serbians of Northern Kosovo recently unsuccessfully applied for Russian citizenship, hoping that if the home country does not protect them, maybe Moscow would. Nevertheless, some EU member states like Germany doubt this and demand a final resolution of the conflict in exchange for the candidate status from Serbia. Regardless if Belgrade can influence the Northern Kosovo Serbs or not, the problem certainly needs to be solved, however, an incident in a province of a neighbouring state – because this is what Kosovo is to Germany, a sovereign country – should not account for the whole country and its aspirations towards membership in the EU.

### Upcoming parliamentary elections

Denying Serbia candidate status would most likely influence the upcoming parliamentary election to be held in spring 2012. The pro-European coalition has shown its commitment and Tadic also noted that this has been achieved only in conjunction with enormous personal risks. Nationalist forces are still very strong in Serbia and do not refrain from using force against government officials as the assassination of then prime minister Zoran Djindjic in 2003 has shown. While failing to become a candidate country will not directly threaten the current government, it could give the nationalist parties ammunition for their electoral campaign, especially when the Kosovo issue can be exploited. Although it would be wrong to solely give Serbia candidate status so that pro-European forces will win the election – something Brussels essentially did before the last election in 2008, by signing the SAA shortly before the ballot – it is also a wrong signal to not grant the status due to the recent crisis in Kosovo. The current government has proven that when getting positive signals from the EU it is determined to fulfil its obligations. Parts of the “For a European Serbia” coalition have already indicated that they might be willing to accept Kosovo independence in exchange for moving closer to EU membership. While Brussels should not bring another unresolved border dispute into the European Union, a final solution does not have to be found before stating membership negotiations as the successful resolution of the border dispute between

Slovenia and Croatia during the course of deliberations have proven.

### Deepening and widening

While economic policy is the top priority on the agenda of the upcoming Brussels summit, the decision about the further integration of the Western Balkan states is listed under “any other business”. Given the current situation within the European Union and especially the Eurozone, this is not surprising and certainly comprehensible. Nevertheless, the European project goes further than current institutional problems. The ever closer union is only one part that also has to be accompanied by an ever wider union given that all Western Balkan countries are potential candidate countries since the Feira European Council in 2001 reiterated by the summit in Thessaloniki 2003. In order to provide a consistent foreign policy, the EU should consider giving Serbia candidate status and also start negotiations if Brussels decides to do so with Montenegro since the original reason why Podgorica could advance towards the EU and Belgrade could not – full compliance with the ICTY – disappeared with the arrest of Hadzic.

Moreover, by starting negotiations with Serbia, the efforts so far undertaken by the government in Belgrade to implement the *acquis communautaire* would be put to a real test. The government has adopted an ambitious plan to fully implement the *acquis* by 2012 and, with the screening procedure starting with the negotiations with the EU, a substantial track record of the reforms and achievements by the coalitions would become visible. In other words, instead of fulfilling obligations concerning the past, Serbia would finally be responsible for reforms for the future.

### Brussels commitment to foreign policy in times of internal crisis

Whereas the timing of Serbia’s candidate status at first appears to be a question for the internal politics of Serbia, given the upcoming parliamentary elections in spring 2012, it is ultimately a question whether the EU is still able to continue its core idea – unification of the whole European continent – or only able to focus on internal problems like the current crisis of the Eurozone. Brussels should have an interest in avoiding the loss of credibility on the

Balkans. Furthermore, the current crisis of the Eurozone must not lead to a neglect of the EU's foreign policy. Brussels has to be an active actor in the Western Balkans region and not only a reactive force as it has been in the 1990s. This does not mean that not granting candidate status to Serbia will lead to violent clashes again or that a candidate status could prevent this. However, active support proves a commitment to the core idea of the EU. Exclusively core member states within the EU might be needed to solve the Euro crisis, but a 'Core Europe' must not replace the central idea of European integration.

## Recommendations

1. Although enlargement is currently not on top of the EU's agenda, the heads of state and government should give Serbia candidate status at the summit in Brussels. The general opinion of a EU membership has been declining recently in Serbia.

While the population, especially since the global financial and economic crisis, seems to be more concerned about the economic development in Serbia than about Kosovo, this topic can easily be exploited especially in times of election.

2. Furthermore, the EU should also consider opening accession talks with Belgrade as soon as possible. The screening process would help to evaluate the National Programme for the Adoption of the Acquis of Serbia, which set out to have a full compatibility by the year 2012. Beyond the headline-grabbing arresting of war criminals or reaching border dispute compromises, this would be a real test of Serbia's commitment and therefore will hold the government even more accountable for democratic development in Serbia.

3. Part of the deal has to be that Belgrade normalises its relationship with Prishtina. While the Serbian government is currently not able (and to a certain extent also not willing) to accept the independence of Kosovo, the status question might become less relevant in

the course of the accession talks. For the time being, a relationship between Serbia and Kosovo similar to the inter-German relations after *Ostpolitik* could serve as a model. A mid-term solution for the problem could be that Belgrade does not recognise the independence of Kosovo but respects its territorial integrity. Prishtina in return should grant the northern part a certain degree of autonomy.

It is an unfavourable time for enlargement, however, if the EU fails to grant candidate status, Serbia will remain at the margins of European integration. This not only endangers the political development of the country in the upcoming election, but also the stability of the whole region.

Not only is it time for Belgrade to move into the centre of European integration, but also time for Brussels to strengthen its centre of gravity. Widening is not a process that should only follow deepening, but rather be seen as an interdependent process where one cannot be done without the other if the European project shall successfully continue.

"Whereas the timing of Serbia's candidate status at first appears to be a question for the internal politics of Serbia, it is ultimately a question whether the EU is still able to continue its core idea – unification of the whole European continent."

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